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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Takeo KAGAMI et al.

Group Art Unit: 3729

Application No.: 10/773,234

Examiner: T. NGUYEN

Filed: February 9, 2004

Docket No.: 118609

For: PATTERN FORMING METHOD, METHOD OF MANUFACTURING MAGNETO-RESISTIVE DEVICE AND MAGNETIC HEAD USING SAME, AND HEAD SUSPENSION ASSEMBLY AND MAGNETIC DISK APPARATUS

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the June 8, 2006 Restriction and Election of Species Requirement, Applicants provisionally elect Group I, and Species A, drawn to Figures 12a-12b, with traverse. Applicants also respectfully submit that at least claims 1-11 read on the elected Species.

It is also respectfully submitted that the subject matter of all claims and species are sufficiently related that a thorough search for the subject matter of any one Group of claims and species would encompass a search for the subject matter of the remaining claims and species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should

apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction and Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: July 7, 2006

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